

**REMARKS**

Initially, Applicant expresses appreciation to the Examiner for the detailed Official Action provided.

Upon entry of the present paper, claims 1, 5, and 9 will have been amended. The herein-contained amendments should not be considered an indication of Applicant's acquiescence as to the propriety of the outstanding rejections. Rather, Applicant has amended the claims solely to advance prosecution of the present application to allowance. Thus, upon entry of the present paper, claims 1-9 and 11-21 are pending in the present application, with claims 1, 5, and 9 being in independent form.

Applicant addresses the rejections provided within the outstanding Official Action below and respectfully requests reconsideration and withdrawal of the rejections together with an indication of the allowability of claims 1-9 and 11-21 (*i.e.*, all pending claims) in the next Official communication. Such action is respectfully requested and is believed to be appropriate for at least the reasons provided below.

**35 U.S.C. § 112, First Paragraph, Claim Rejections**

In the outstanding Official Action, claims 1, 5, and 9 were rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. Specifically, it appears that the Examiner asserts that the specification fails to disclose the claimed features of: (i) storing setup information for a chat in a chairman video game terminal *before* an area of a database for the chat is set; and (ii) transmitting an invitation message including the setup information from the chairman video game terminal to a guest video game terminal *while* the server is setting the area of the database.

With respect to the first above-mentioned feature, the specification of the present application as filed discloses:

*The opening of a chat refers to an operation performed by the message server 113 to set a specified area in the database . . . (page 9, line 25 to page 10, line1)*

. . .

*The setup information input to create the chat opening message 201 has been stored and is used to create the invitation message 206. (page 11, lines 25-27)*

. . .

*The invitation message 206 can be invoked while the chat opening process is in progress. The user can invoke and edit the invitation message 206 by performing an operation required to invoke the message or selecting guests from an address book while the chat opening process is in progress. Then, after the chat has been opened, the invitation signal 207 can be transmitted to other guests. (page 12, lines 6-12)*

Thus, in view of the above, Applicant submits that the specification of the present application as filed discloses that a chat opening process includes an operation performed by the message server to set an area of a database for a chat. The specification is submitted to further disclose that setup information is stored and used to create an invitation message. The invitation message can be invoked and edited (*i.e.*, created) while the chat opening process is in progress (*i.e.*, while the server is setting the area of the database). Therefore, since the setup information is used to create the invitation message, and since the invitation message is created while the chat opening process is in progress, it is submitted that the specification of the present application sufficiently supports the claimed feature of storing setup information for a chat in a chairman video game terminal *before* an area of a database for the chat is set. Accordingly, with respect

to the first above-mentioned feature, it is submitted that the 35 U.S.C. § 112, first paragraph, rejection is improper.

With respect to the second above-mentioned feature, without acquiescing in the propriety of the 35 U.S.C. § 112, first paragraph, rejection and solely to expedite prosecution of the present application, upon entry of the present paper, the claims will have been amended to remove the feature of transmitting an invitation message including the setup information from the chairman video game terminal to a guest video game terminal *while* the server is setting the area of the database. Accordingly, with respect to the second above-mentioned feature, it is submitted that the grounds for the 35 U.S.C. § 112, first paragraph, no longer exist.

Therefore, at least in view of the above, it is submitted that the grounds for the outstanding 35 U.S.C. § 112, first paragraph, rejection are either improper or no longer exist. Thus, it is respectfully requested that the rejection is withdrawn in the next Official communication.

### **35 U.S.C. § 102 Claim Rejection**

In the outstanding Official Action, claims 1-2, 5-6, 9, 18, and 20 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Appl. Pub. No. 2002/0002586 to Rafal et al. (hereinafter "RAFAL"). Applicant respectfully traverses the rejection.

Independent claims 1, 5, and 9 (*i.e.*, all independent claims) recite, respectively, an electronic chat joining method, an electronic chat joining system, and a storage medium having programs recorded. According to the features of independent claim 1 as a representative and exemplary embodiment of the independent claims, a chairman video game terminal requests a server to open a chat. The server opens the chat by setting an

area of a database for storing chat messages. Setup information for accessing the area of the database to be set by the server is stored in a storage of the chairman video game terminal before the server sets the area of the database. Thereafter, the chairman video game terminal creates an invitation message that includes the setup information while the server is setting the area of the database. The chairman video game terminal transmits the invitation message to a guest video game terminal. The guest video terminal receives the invitation message, obtains the setup information, creates an access request signal based on the setup information, and transmits the access request signal to the database. According to independent claim 1, the setup information is not visible on the guest video game terminal, and the setup information includes a password that is communicated from the chairman video game terminal to at least one of the server and the guest video game terminal without modification. The setup information further initiates and authenticates access to the area of the database by the guest video game terminal.

Accordingly, in view of the above, independent claims 1, 5, and 9 each generally recite, in part, that setup information that includes a password for initiating and authenticating access to the area of the database by the guest video game terminal is stored in the chairman video game terminal *before* the server sets the area of the database. Thereafter, while the server is setting the area of the database, the chairman video game terminal creates an invitation message including the setup information. Applicant respectfully submits that RAFAL fails to disclose such features.

RAFAL discloses a method of creating and customizing online parties or gatherings (RAFAL, Abstract). According to RAFAL, a party is created in four stages: party creation, a pre-party state, the party, and a post-party state (RAFAL, ¶[0024]).

Initially, a host requests a server to construct a set of web pages that conform to a specified theme, that include specified activities, and that are in accordance with a specified schedule (RAFAL, Abstract and Figure 1). In response thereto, the server constructs a set of preliminary web pages (RAFAL, Abstract). ***Thereafter***, after the party is created, the party creation stage is entered (RAFAL, Abstract and ¶[0032]). In the party creation stage, the host may decorate the web pages, specify a list of guests to be invited to the party, and create an invitation (RAFAL, Abstract, ¶[0034], and ¶[0119]). The invitation generally includes a URL of the web pages for the party (RAFAL, ¶[0037]). The invitation including the URL is transmitted to the guests, and the guests can access the server via the URL (RAFAL, ¶[0037]).

Thus, in view of the above, it is respectfully submitted that RAFAL discloses that the host creates the invitation *after* the server sets the area for the party, *i.e.*, after the server constructs the web pages. That is, the server sets the area for the party by constructing the web pages for the party. Thereafter, as explicitly recited by the Abstract and ¶[0032] of RAFAL, the host creates the invitation.

In contradistinction, independent claims 1, 5, and 9 each generally recite that the chairman video game terminal creates the invitation message while the server is setting the area of the database for storing chat messages. Therefore, at least in view of the above, Applicant respectfully submits that RAFAL fails to disclose “each and every” feature of the present application.

Additionally to, and independently of, the above, RAFAL further discloses that the server uses tracking mechanisms to monitor the activity of users (RAFAL, ¶[0081]). According to RAFAL, each user is assigned a unique identification code (RAFAL,

¶[0081]). The identification code is stored in a user's browser as a cookie when the user accesses the server to enable the user to be identified in later sessions (RAFAL, ¶[0086]).

On pages 3-4 and 12-13 of the outstanding Official Action, it is generally asserted that the cookie of RAFAL and the URL of the invitation message of RAFAL disclose the feature of the present application of storing setup information in the chairman video game terminal before the server sets the area of the database.

Initially, with respect to such an assertion, Applicant notes that independent claims 1, 5, and 9 each generally recite that: (1) the setup information is stored in the chairman video game terminal before the server sets the area of the database; **and** (2) the setup information includes a password that is communicated from the chairman video game terminal to the server or the guest video game terminal that initiates and authenticates access to the area of the database by the guest video game terminal. In the outstanding Official Action, it appears that the Examiner is asserting that the cookie of RAFAL discloses the first above-mentioned feature while the URL of RAFAL discloses the second above mentioned feature. Applicant respectfully submits that such an assertion is improper. That is, it is submitted that the features of the claims are being improperly considered in isolation, and not in the context of the claims as a whole.

Specifically, it is submitted that RAFAL does not appear to disclose that the cookie is communicated from the host to the server or the guests, or that the cookie is for initiating and authenticating access to the party by the guests, *i.e.*, that the cookie includes the URL. Rather, RAFAL merely appears to disclose that the server stores the cookie in a user's browser and that the cookie is a tracking mechanism for identifying a user. Thus, Applicant respectfully submits that the cookie cannot be reasonably interpreted to

disclose the setup information of independent claims 1, 5, and 9 as recited in the claimed combinations.

Moreover, RAFAL does not appear to disclose that the URL is transmitted from the host to the server or the guest or that the URL is stored in the chairman video game terminal before the server sets the area of the database. Rather, RAFAL merely appears to disclose that the URL is transmitted from the server to the guests after the server constructs the web pages. Thus, Applicant further submits that the URL cannot be reasonably interpreted to disclose the setup information of independent claims 1, 5, and 9 as recited in the claimed combinations.

In this regard, if the Examiner intends to maintain that RAFAL anticipates independent claims 1, 5, and 9 in the next Official communication, it is respectfully requested that the Examiner precisely identify which feature of RAFAL the Examiner considers to disclose the setup information of independent claims 1, 5, and 9 as recited in the claimed combinations.

Notwithstanding the above, Applicant further submits that RAFAL fails to disclose the feature of the present application of storing setup information for accessing the area of the database in the chairman video game terminal *before* the server sets the area of the database, regardless of the manner in which RAFAL is interpreted. That is, RAFAL does not appear to disclose that the URL for accessing the web pages of a party is created before the web pages are constructed. Thus, it is submitted that RAFAL cannot be reasonably interpreted to disclose that the URL is stored in the host's computer *before* the web pages are constructed. Moreover, RAFAL does not even appear to disclose that the URL is stored in the host's computer. To the contrary, RAFAL merely appears to

disclose that the invitations, including the URL, are generated and created by the server. Furthermore, assuming, *in arguendo*, that that cookie of RAFAL is interpreted to include information for accessing the party (which Applicant submits that it does not), Applicant respectfully submits that it cannot be reasonably asserted that the cookie, including the information for accessing the party, is stored in the host's computer before the web pages are constructed. That is, the host must access the party in order for the server to store the cookie in the host's browser. Accordingly, Applicant submits that RAFAL fails to disclose the feature of the independent claims of storing setup information for accessing the area of the database in the chairman video game terminal *before* the server sets the area of the database.

Additionally to, and independently of, the above, Applicant further submits that RAFAL fails to disclose the feature of the present application of transmitting the invitation including the setup information from the chairman video game terminal to the guest video game terminal. To the contrary, as noted above, RAFAL merely appears to disclose that the server transmits the invitation to the guests. Furthermore, RAFAL does not appear to disclose that the host's browser transmits the cookie stored therein to a guest's browser. Accordingly, it is further submitted that RAFAL fails to disclose the feature of transmitting the invitation including the setup information from the chairman video game terminal to the guest video game terminal as recited in the claimed combinations of independent claims 1, 5, and 9.

Accordingly, at least for the reasons set forth above, it is respectfully submitted that RAFAL fails to disclose "each and every" feature of independent claims 1, 5, and 9. Thus, it is submitted that these claims cannot be anticipated thereby. Accordingly, it is

respectfully requested that the 35 U.S.C. § 102 rejection of these claims is withdrawn and that these claims are indicated to be allowable in the next Official communication.

With respect to the 35 U.S.C. § 102 rejection of dependent claims 2, 6, 18, and 20, these claims are all submitted to be directly dependent from one of independent claims 1 and 5, which are allowable for at least the reasons discussed *supra*. Thus, these dependent claims are submitted to also be allowable for at least the reasons discussed *supra*. Furthermore, all dependent claims recite additional features which further define the present invention over the references of record.

### **35 U.S.C. § 103 Claim Rejections**

In the outstanding Official Action, claims 3-4 and 7-8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over RAFAL in view of U.S. Pat. No. 7,177,905 to Slutsman et al. (hereinafter "SLUTSMAN"). Claims 11-14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over RAFAL in view of U.S. Pat. No. 7,216,144 to Morris et al. (hereinafter "MORRIS"). Claims 17, 19, and 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over RAFAL in view of U.S. Appl. Pub. No. 2009/0106416 to Cohen et al. (hereinafter "COHEN"). Lastly, claims 15-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over RAFAL and SLUTSMAN in view of MORRIS. Applicant respectfully traverses the rejections.

Specifically, Applicant submits that claims 3-4, 7-8, 11-17, 19, and 21 are each directly or indirectly dependent from one of amended independent claims 1, 5, and 9, which are allowable for at least the reasons discussed *supra*. Furthermore, Applicant submits that SLUTSMAN, MORRIS, and COHEN fail to cure the deficiencies of RAFAL. That is, SLUTSMAN merely discloses that a subscriber who desires to host a

conference transmits a request to a web service control point, and the web service control point broadcasts an invitation to potential conference participants (SLUTSMAN, Abstract), MORRIS is merely relied on in the outstanding Final Official Action to disclose creating a chat opening message, and COHEN is merely relied upon to disclose transmitting an invitation answer signal from a guest video game terminal in response to receiving an invitation. Thus, in view of the above, Applicant submits that these dependent claims are also allowable for at least the reasons discussed *supra*.

Therefore, at least in view of the above, Applicant respectfully submits that each and every pending claim of the present application (*i.e.*, claims 1-9 and 11-21) meets the requirements for patentability. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejections and to indicate the allowance of each and every pending claim in the present application.

**CONCLUSION**

In view of the fact that none of the art of record, whether considered alone, or in any proper combination thereof, discloses or renders obvious the present invention as now defined by the pending claims, and in further view of the above amendments and remarks, reconsideration of the outstanding rejection and allowance of the present application are respectfully requested and are believed to be appropriate.

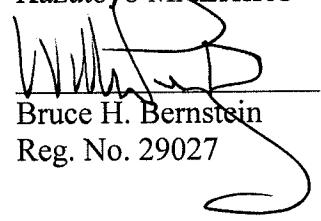
Applicant notes that this amendment is being made to advance prosecution of the application to allowance, and should not be considered as surrendering equivalents of the territory between the claims prior to the present amendment and the amended claims. Further, no acquiescence as to the propriety of the Examiner's rejections is made by the present amendment. All amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Commissioner determine that an extension of time is required in order to render this response timely and/or complete, a formal request for an extension of time, under 37 C.F.R. §1.136(a), is herewith made in an amount equal to the time period required to render this response timely and/or complete. The Commissioner is authorized to charge any required extension of time fee under 37 C.F.R. §1.17 to Deposit Account No. 19-0089.

If there should be any questions concerning this application, the Examiner is invited to contact the undersigned at the telephone number listed below.

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August 4, 2010  
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